

Please add new Claim 79 as follows:

--79. (New) The method for estimating the relative coverage of a plurality of third-party search engines according to Claim 74, wherein the step of comparing comprises the steps of:

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i) determining a first value equal to the overlap number of pages in the filtered full list of results corresponding to each of the first and the second third-party engines divided by the number of pages in the filtered full list of the second third-party search engine;

ii) determining a second value equal to a number of pages in the filtered full list of the first third-party search engine divided by the overlap number of pages in the filtered full list of results corresponding to each of the plurality of third-party engines; and

iii) determining an estimate of the relative coverage of the plurality of third-party engines by dividing the second value by the first value.--

REMARKS

The Applicants have filed the present Amendment pursuant to 37 C.F.R. §1.111 in reply to the outstanding Official Action of December 4, 2002 and the Applicants believe it to be fully responsive to the Official Action for reasons set forth below.

In the Official Action, the Examiner rejected Claim 74 pursuant to 35 U.S.C. §102(e), as allegedly anticipated by Redfern (U.S. Patent No. 6,078,914).

At the outset and before addressing the particular rejection raised in the preset Official Action, the Applicants have amended the only pending Claim 74 to more clearly recite the invention. More specifically, Claim 74 now recites a step of estimating the relative coverage of a plurality of third-party search engines. The Applicants have further added a new Claim 79. Support for the amendment is found in the specification as filed on page 38, lines 3-19 in view of Figure 31 (emphasis added). The Applicants respectfully submit that no new subject matter has been entered.

Insofar as rejections pursuant to 35 U.S.C. § 102(e) are concerned, it is axiomatic that anticipation pursuant to § 102 requires that the prior art reference disclose each and every element of the claim to which it is applied. In re King, 801 F.2d 1324, 1326 (Fed. Cir. 1986). Thus, there must be no differences between the subject matter of the claim and the disclosure of the applied prior art reference. Stated another way, the prior art reference must contain within its four corners adequate direction to practice the invention as claimed. A corollary to the aforementioned rule, which is equally applicable, states that the absence from the applied prior art reference of any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible Inc., 793 F.2d 1565, 1571 (Fed. Cir. 1986).

In traversing the rejection of Claim 74 pursuant to 35 U.S.C. § 102(e), the Applicants respectfully submit that the primary reference to Redfern does not anticipate the present invention, i.e., failing to disclose each and every element, as particularly claimed in the independent Claim 74. More specifically, the Applicants respectfully submit that Redfern fails to disclose estimating the relative coverage of the plurality of third-party search engines by comparing an overlap number of pages in the filtered full

list of results corresponding to each of the first and the second third-party engines to an overlap number of pages in the filtered full list of results corresponding to each of the plurality of third-party engines. To the contrary of the present invention, which is directed to a method for determining an estimate of the relative coverage of the plurality of third-party search engines as particularly recited herein, the primary prior art reference to Redfern is directed to a meta search engine that queries a number of search engines, ranks the relevance of information sources returned from the search engines according to relevant content, determines portions of interest in the ranked information sources and displays the portions in ranked order to the user. Consequently, the Applicants respectfully submit that Redfern does not disclose estimating the relative coverage of the plurality of third-party search engines, as particularly recited in the independent Claim 74. Applicants further respectfully submit that Redfern further fails to disclose the newly added Claim 79.

In view of the foregoing, the Applicants respectfully request the Examiner to withdraw the rejection of the independent Claim 74 pursuant to 35 U.S.C. §102(e).

Attached hereto is a marked-up version of changes made to the claims by the present Amendment, which is captioned **"VERSION WITH MARKINGS TO SHOW CHANGES MADE"**.

In view of the foregoing, the Applicants believe that the above-identified application is in condition for allowance and henceforth respectfully solicit the allowance of the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicants respectfully request that the Examiner to call the undersigned, Applicants' attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,



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AGV/PJE:eg

VERSION WITH MARKINGS TO SHOW CHANGE MADE

IN THE CLAIMS:

Claim 74 has been amended as follows:

74. (Amended) A computer-implemented method for estimating the relative coverage of a plurality of third-party search engines, the plurality of third-party engines including at least a first third-party search engine and a second third-party search engine, the method comprising [which comprises] the steps of:

forwarding a [set of queries] query to each of the plurality of [two] third-party search engines;

retrieving [the] a full list of results comprising pages matching the query from each of the plurality of third-party search [engine] engines;

retrieving [the] text [of] for all pages listed in the full list of results corresponding to each of the plurality of third-party [by the] search [engines] engines;

filtering out pages from the full list of results corresponding to each of the of third-party search engines if the pages [which] are unavailable or no longer match the query; and

estimating the relative coverage of the plurality of third-party search engines, by comparing [the number of remaining pages from each engine] an overlap number of pages in the filtered full list of results corresponding to each of the first and the second third-party engines to an overlap number of pages in the filtered full list of results corresponding to each of the plurality of third-party engines.